

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Sherrie Stevens,

Plaintiff

V.

Jo Gentry, et al.,

Defendants

2:15-cv-01002-JAD-NJK

Order Granting Requests to Seal Exhibits

[ECF Nos. 67, 77, 80, 84]

Nevada state prison inmate Sherrie Stevens brings this civil-rights action alleging that she suffered deliberate indifference to her serious medical needs at the Florence McClure Women's Correctional Center.¹ Defendants have moved for summary judgment, and both parties ask for permission for certain medical-record exhibits in support of their respective briefs to be kept under seal.²

Unless a particular court record is one “traditionally kept secret,” there is a “strong presumption in favor of access” to the record.³ Parties seeking to seal a judicial record must overcome this presumption by “articulat[ing] compelling reasons supported by specific factual findings,” that outweigh the traditional right of public access.⁴ Unlike with sealed discovery attached to a non-dispositive motion, the “compelling reasons” standard applies with full force to dispositive motions and their attachments—even those “previously filed under seal or protective

¹ ECF No. 12 (screening order).

² ECF Nos. 80, 84.

³ *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal citations and quotations omitted).

⁴ *Id.* (internal citations and quotations omitted).

1 order.”⁵

2 Both sides have offered compelling reasons to keep their requested exhibits under seal.
3 The subject exhibits contain the plaintiff’s confidential medical information, which is protected
4 from public disclosure by the Health Insurance Portability and Accountability Act (HIPAA).
5 These privacy concerns outweigh the traditional right of public access to these exhibits.

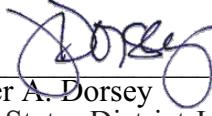
6 Accordingly, IT IS HEREBY ORDERED that defendants’ Motion for Leave to file
7 exhibits A-K in support of their motion for summary judgment under seal [**ECF NO. 67**] is
8 **GRANTED**. These exhibits (ECF No. 68) will remain under seal;

9 IT IS FURTHER ORDERED that plaintiff’s Motion to File Exhibits 3, 4, 5, 6, 7, 8, 9,
10 and 11 to ECF No. 79, her opposition to the motion for summary judgment [**ECF No. 80**] is
11 **GRANTED**. These exhibits (ECF Nos. 81, 82) will remain under seal.

12 IT IS FURTHER ORDERED that defendants’ motion for leave to file exhibits M & N in
13 support of their reply brief [ECF No. 83] under seal [**ECF No. 84**] is **GRANTED**. These
14 exhibits (ECF No. 85) will remain under seal.

15 IT IS FURTHER ORDERED that the stipulation for extension of time for plaintiff to
16 oppose defendants’ motion for summary judgment [**ECF No. 77**] is **GRANTED** nunc pro tunc;
17 plaintiff’s April 5, 2017, opposition [**ECF No. 79**] is **deemed timely**.

18 DATED: June 9, 2017.

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Jennifer A. Dorsey
United States District Judge
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27 ⁵ *Id.* at 1179.